

Case Type: Personal Injury

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Walter Arias,

Plaintiff,

v.

SUMMONS

FedEx Freight, Inc.,

Defendant.

THIS SUMMONS IS DIRECTED TO ABOVE-NAMED DEFENDANTS:

1. **YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this Summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this Summons.
2. **YOU MUST REPLY WITHIN 21 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this Summons a **written response** called an Answer within 21 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at:

ASK LLP
2600 Eagan Woods Drive
Suite 400
Eagan, MN 55121

3. **YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.
4. **YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.** If you do not Answer within 21 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award



the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the Complaint.

5. **LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**
6. **ALTERNATIVE DISPUTE RESOLUTION.** The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

I hereby acknowledge that sanctions may be awarded pursuant to Minn. Stat. § 549.211.

ASK LLP

By 
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Dated: July 15, 2021

Case Type: Personal Injury

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Walter Arias,

Plaintiff,

v.

COMPLAINT

FedEx Freight, Inc.,

Defendant.

Plaintiff Walter Arias for his claims for relief, states and alleges that:

1. On September 11, 2015, Plaintiff was the operator of a commercial tractor-trailer engaged in the transportation of freight and loaded at an Indiana facility owned, operated, and controlled by Defendant FedEx Freight, Inc.
2. Plaintiff's destination was a facility owned, operated, and controlled by Defendant FedEx Freight, Inc., in Roseville, Ramsey County, Minnesota.
3. Upon arrival at Defendant's Roseville facility, Plaintiff was directed to open his trailer at which point unsecured contents of the trailer spilled forth, striking Plaintiff's ankle and causing injury.
4. The above-described incident was caused as a result of the carelessness, recklessness and negligence of agents or employees of the Defendant who had a non-delegable duty to use reasonable care to secure freight within the subject trailer.
5. As a result of the subject incident, Plaintiff sustained injuries, including, to-wit:
 - a. He has in the past and will in the future incur medical and hospital expenses for the treatment of his injuries.

b. He has in the past and will in the future incur a loss of earnings and of earning

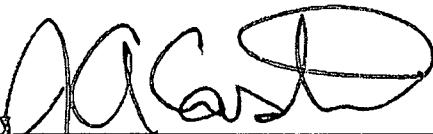
capacity.

c. He has in the past and will in the future suffer great physical and mental pain.

WHEREFORE, Plaintiff Walter Arias prays judgment against Defendant in an amount greater than Fifty Thousand and no/100 (\$50,000) Dollars, together with interest, costs and disbursements incurred.

I hereby acknowledge that sanctions may be awarded pursuant to Minn. Stat. § 549.211.

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Dated: July 15, 2021.

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